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Department of Water Resources
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DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)	AMENDED ORDER REQUESTING
)	SUPPLEMENTAL DIRECTOR'S REPORTS
)	FROM IDAHO DEPARTMENT OF WATER
Case No. 39576)	RESOURCES FOR IRRIGATION SEASON
)	AND CONJUNCTIVE MANAGEMENT
)	GENERAL PROVISIONS IN REPORTING
)	AREAS 1, 2 AND 3

Pursuant to I.C. § 42-1412(4), the Court requests the Idaho Department of Water Resources (IDWR) to issue *Supplemental Director's Reports* regarding the period of use (for irrigation uses) and IDWR's conjunctive management and other water management general provisions implicated in the Basin-Wide Issue 5 litigation in Reporting Areas 1, 2 and 3 (Basins 34, 57, and 36). The procedures established in the *Order* shall be followed in the filing and service of the *Supplemental Director's Reports* requested by the court.

ORDER

1. FILING OF SUPPLEMENTAL REPORTS

IDWR shall file the *Supplemental Director's Reports* for the period of use (for irrigation uses) in the form of recommendations stating, at least, elements (a), the name and address of the claimant(s), and (g), the period of the year when water is used for irrigation purposes, required by I.C. § 42-1411(2). The general provisions shall be recommended separately from the individual irrigation season of use recommendations. The *Supplemental Director's Reports* should be filed with the court by July 31, 1999.

2. SERVICE OF SUPPLEMENTAL DIRECTOR'S REPORTS ON PARTIES

IDWR will serve its individual recommendations regarding period of use on each claimant for which IDWR modifies its period of use recommendation for irrigation season uses. IDWR will serve its conjunctive management and other water management general provision recommendations on all holders of non-*de-minimis* water right claims in the areas for which a report is filed and the parties on the Court's Certificate of Mailing for Basin-Wide Issues 5, 5A, and 5B. Because the conjunctive management recommendations will have an insignificant and indirect impact on *de-minimis* claimants and claimants in other areas, docket sheet notice and the availability of the conjunctive management reports at the locations provided for in I.C. § 42-1411(6), provide adequate notice to such claimants.

IDWR will prepare and serve with its *Supplemental Director's Reports* a Notice of Filing for the *Supplement Director's Reports*, which shall contain the information required by I.C. § 42-1411(6). The Notice of Filing shall indicate to the recipients of the *Supplemental Director's Reports* that objections to these reports may be filed only to the recommended period of use (irrigation season of use) and recommended general provisions.


3. OBJECTION AND RESPONSE PERIODS

Pursuant to I.C. § 42-1412(9) the Director of IDWR may establish any appropriate date for the close of the period for the filing of objections and responses to the *Supplemental Director's Reports*, so long as such date for filing objections is not less than 30 days after the claimants receive notice by mail of the filing of the *Supplemental Director's Reports*, and so long

as the date for filing responses is not less than 30 days following the close of the period for the filing of objections, and such date is at least 30 days after the date when all timely objections to the *Supplemental Director's Reports* will have appeared on the SRBA Docket Sheet.

IT IS SO ORDERED.

DATED May 5, 1999.



BARRY WOOD
Administrative District Judge and
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that true and correct copies of the **AMENDED ORDER REQUESTING SUPPLEMENTAL DIRECTOR'S REPORTS** were mailed on May 6, 1999, by first-class mail to the following:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment & Natural Resources Div.
550 West Fort Street, MSC 033
Boise, ID 83724

Court Certificate of Mailing for Basin-Wide Issues 5, 5A, 5B

Court Certificate of Mailing for Expedited Hearings


Deputy Clerk

**INSTRUCTIONS FOR FILING
OBJECTIONS TO WATER RIGHTS IN THE
SNAKE RIVER BASIN ADJUDICATION
BASED UPON THE SUPPLEMENTAL DIRECTOR'S REPORT**

The attached form is for your use if you file an objection to irrigation season recommendations and/or general provisions, as recommended in the Supplemental Director's Report. You may copy or reproduce this blank form.

To object to more than one water right, you must use a **separate form for each objection** and there must be **only one objector** for each form.

Your objection must be **received and filed** by the court on or before the deadline specified in the notice that the Idaho Department of Water Resources mailed to you. If you are filing 25 or more objections you must contact the Clerk of the SRBA court at least 14 days before the filing deadline and arrange an appointment for filing.

You may attach any explanation or documentation that you feel is necessary to support your objection.

INSTRUCTIONS FOR COMPLETING THE OBJECTION FORM

- A. **Subcase.** Fill in the water right number to which you are objecting at the top of the form in the blank following "Subcase." The water right number will become the Subcase Number.
- B. **Name and Address of Person Objecting.** Enter your name, address and daytime telephone in the blanks provided.
- C. **Claimant of Water Right As Listed in Supplemental Director's Report.** Fill in the claimant/owner blank of the water right to which you are objecting as it is listed in the Supplemental Director's Report.
- D. **Elements of the Water Right.** If you disagree with irrigation season or general provisions listed in the Supplemental Director's Report, check the appropriate box(es) and write in the space provided what you think the element "should be." If objecting to a general provision, please indicate the number of the provision, and the basin it was reported in.
- E. **Reasons supporting objection.** Attach to the objection form a separate sheet explaining why you are objecting. (this is optional)
- F. **Verification.** You must sign the objection form in front of a notary. By filing this objection form, you are certifying that the objection is well-grounded in fact; that it is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needlessly increase the cost of litigation.
- G. **Certificate of Mailing.** Fill in the appropriate blanks for the date and the owner of the water right, and sign the form. Remember that the original objection form must be mailed to the Clerk of the SRBA District Court with copies mailed to the parties listed in this section.

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Case No. 39576

A. Subcase _____

STANDARD FORM 1a

**OBJECTION TO IRRIGATION SEASON
AND/OR CONJUNCTIVE MANAGEMENT
GENERAL PROVISIONS**

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: _____

Name & address of attorney, if any:

Address: _____

Daytime Phone: (____) _____

**C. CLAIMANT OF WATER RIGHT AS LISTED IN
SUPPLEMENTAL DIRECTOR'S REPORT**

Name: _____

Address: _____

D. ELEMENTS OBJECTED TO:

8. ☐ **Period (Irrigation Season) of Use**

Should be: _____

12. ☐ **General Provision**

Number: _____ Reported in Basin: _____

Comments: _____

E. ☐ REASONS SUPPORTING OBJECTION: (if you have additional reasons, please attach to this form)

This standard form is for the sole purpose of objecting to the Director's supplemental recommendations on irrigation season of use and general provisions. This form may not be used to object to any other elements of your water right.

If you have evidence that the recommendations on irrigation season of use and/or conjunctive management adversely affect other elements of your water right, please contact the Snake River Basin Adjudication at 208-736-3011. A deputy clerk of the court will inform you of how to proceed.

F. VERIFICATION (Must be Completed)

State of _____)
)ss.
County of _____)

_____, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

Subscribed and sworn to before me on: _____

(Attorney signing in representative capacity)

Notary Public
for _____

Residing at: _____

My Commission Expires: _____

INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on _____, 199__, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

2. One copy to the claimant of the water right
at the following address:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

Name: _____

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Address: _____

Signature of Objector or attorney